

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BAKARY MARIKO,

Petitioner,

Case No. 1:05-cv-835

v.

Hon. Richard Alan Enslen

ALLEN BYAM,

Respondent.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed July 11, 2006, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that petitioner's application is **DISMISSED AS MOOT** for the reasons stated in the Report and Recommendation.

Dated in Kalamazoo, MI:  
August 4, 2006

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/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge